IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THURSDAY THE FIFTH DAY OF JANUARY
TWO THOUSAND AND SIX
: PRESENT :
THE HON'BLE MR. JUSTICE: G. CHANDRAIAH

M.A.C.M.A.M.P.NO.173 OF 2006

Between:
The New India Assurance Co.Ltd.,rep. by its Branch Manager, Branch office, Pragathi Nagar, Station Road, Peddapalli-505172, Karimnagar District
Petitioner/Appellant in M.A.CMA. (SR).NO.213 of 2006 on the file of the High Court)

AND

1.Dommani Banaiah @ Banesh s/o.Dommani Mogili, Occ:Motor Cycle Mechanic R/o.H.No.10-180, Ramnagar, CCC Naspur, Adilabad District
2.Panjala Rajaiah s/o.P.Papaiah, Occ:Clerk in G.M.Office and Driver-cum-owner of Hero Honda Motorcycle bearing No.AP.13/D-4735, R/o.Quarter No.1335, Godavari Colony CCC Naspur, Mancherial Mandal, Adilabad District
(R2 is not necessary party)
Respondents(Respondents in-do)

COUNSEL FOR THE PETITIONER : Mr.Mandada Srinivasa Rao,

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to grant stay of execution of the award decree dt.06-09-2005 in O.P.No.638 of 2002 on the file of the M.A.C.T.-cum-III Addl. District Judge,(F.T.C), Asifabad Adilabad District pending MA.CMA.MP.No.26 of 2006, presented to the High Court under Section 5 of Limitation Act to condone the delay of 26 days in filing the above M.A.CMA.SR.No.213 OF 2006 sought to be preferred therefrom to the High Court.

The Court while directing issue of notice to the Respondent herein to show cause why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).**ORDER :**

"There shall be interim stay of the impugned award subject to the condition of the petitioner-appellant depositing half of the decretal amount awarded by the Tribunal below including interest and costs, if any, within a period of six weeks from today, duly giving credit to the amount, if any, already deposited.

On such deposit, the respondents-claimants are permitted to withdraw the said amount, in the same proportion as ordered by the Court below, without furnishing any security.

Notice to the respondents-claimants."

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1.The Chairman, M.A.C.T.-cum-III Addl. District Judge,(F.T.C), Asifabad Adilabad District

2. Dommani Banaiah @ Banesh s/o.Dommani Mogili, Occ:Motor Cycle Mechanic R/o.H.No.10-180, Ramnagar, CCC Naspur, Adilabad District (By RPAD)

3.One Spare Copy.

4.1cc to Mr. Mandada Srinivasa Rao,, Advocate (OPUC)

smj

HIGH COURT

GC.J

DATED 5-1-2006

ORDER
M.A.C.M.A.M.P.NO.173 OF 2006
IN
M.A.C.M.A.SR.NO.213 OF 2006

INTERIM STAY

smj
Drafted on: 24-1-2006 **HIGH COURT**

GC.J

DATED 5-1-2006

ORDER

M.A.C.M.A.M.P.NO.173 OF 2006
IN
M.A.C.M.A.SR.NO.213 OF 2006

INTERIM STAY